

# **EXHIBIT M**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN)  ECF Case
This document relates to:  <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN)  ECF Case

**DECLARATION OF PAUL E. GONZALES**

I, Paul E. Gonzales, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached as Exhibit A to this Declaration is a true and correct copy of my proof of citizenship.

3. On or about November 30, 1996, I retired from the United States Navy with the rank of Commander, after twenty years and six months of service.

4. On September 11, 2001, I was the Deputy Comptroller for Program and Budget for the United States Defense Intelligence Agency (“DIA”). I was in a colleague’s office cubicle, Room 1C5535 at the Pentagon when terrorist hijackers deliberately crashed American Airlines Flight 77 into the building.

5. I recall reaching for a document on my colleague's desk when I heard a noise that made me realize something very bad was about to happen. Before I could react, I was lifted off the ground in a fireball. While flying through the air, I believed I was going to die.

6. The next thing I remember is kneeling on the ground, thankful to be alive. I saw that the skin on my hands had peeled back. I heard screaming and removed flaming debris from an injured colleague.

7. I went back toward my own office to look for my staff and quickly realized that nobody was going to make it out of that section of the building alive. I then looked for an escape route and saw what I can only describe as a version of hell. I know now that, at the time of impact, I was approximately thirty-five feet from where the cockpit voice recorder of the airliner was subsequently recovered, along with the bodies of many of my colleagues, including two young mothers on my staff.

8. I proceeded to lead other survivors on our hands and knees through the smoke-filled room toward what had been our building's armored front door, finding a path through collapsed cubicles and debris field to get outside. From there, I was helped to the Pentagon's center courtyard, where I collapsed.

9. At that point, I was treated by first responders and evacuated to another location when they believed the second plane was in route. I was later transported by an Army ambulance to Walter Reed National Military Medical Center. Attached as Exhibit B to this Declaration is true and correct copy of my Record of Inpatient Treatment from Walter Reed.

10. As a result of the terrorist attack on the Pentagon, I suffered the following specific injuries on September 11, 2001: (1) acute inhalation injury; (2) closed fracture of second cervical vertebra; (3) pulmonary insufficiency following trauma and surgery; (4) acidosis; (5) third-degree

burns to my hands; (6) third-degree burns to other parts of my body; (7) mixed conductive and sensorineural hearing loss; (8) conjunctival hemorrhage; (9) benign paroxysmal positional vertigo; (10) contusions of the face, scalp, and neck; (11) dysphagia; and (12) hypotension. (*See Exhibit B.*)

11. I was on life support for a period of time as a result of chemical and smoke burns to my lungs. My wife was told that I would die without extraordinary measures that included administering oxygen at levels above those normally allowed. I had respiratory mucosal sloughing, which my care providers vacuumed out of my lungs through a tracheal tube. The burns to my hands were so severe that I cried during burn therapy despite being heavily sedated.

12. Although I returned to work on or about November 1, 2001, I suffered, and continue to suffer, from lasting injuries that ultimately impaired my ability to work, such that I retired from the DIA for medical reasons in 2005 and am fully disabled. A true and correct copy of the Notice of Award from the Social Security Administration is attached as Exhibit C.

13. Over time, my left hand has atrophied. I have neurological damage and severe brain atrophy. I have had several surgeries, including on my lumbar spine and cervical spine. My right ear is no longer functional. I have balance problems. One of my eyes won't open all the way, and my breathing function remains impaired. I also suffer from post-traumatic stress disorder ("PTSD").

14. Attached as Exhibit D is a true and correct copy of a July 31, 2013 letter from the U.S. Department of Labor Office of Workers' Comp Programs summarizing my conditions. As set forth therein, I continue to suffer from the following specific injuries as a result of the terrorist attack on the Pentagon: (1) burn of second degree of palm of hand, bilateral; (2) toxic effect of unspecified gases, fumes or vapors; (3) other specified nonpsychotic mental disorders following organic brain damage; (4) PTSD; (5) effects of air pressure caused by explosion; (6) other nerve

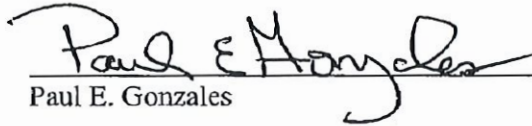
root and plexus disorder, left; (7) neuralgic amyotrophy, left; (8) spinal stenosis in cervical region; (9) degeneration of cervical intervertebral disc; (10) other diseases of the lung, not elsewhere classified; (11) disorders of diaphragm, right; and (12) sensorineural hearing loss, asymmetrical bilateral. (See Exhibit D.)

15. I previously pursued a claim through the September 11th Victim Compensation Fund specifically related to my physical injuries incurred on September 11, 2001 (Claim No. 212-004925), and my claim was determined to be eligible for compensation.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 24th day of January, 2020.

Franklin, Tennessee

  
Paul E. Gonzales

# **Exhibits Filed Under Seal**